

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

TRUSTEES OF THE TEAMSTERS
UNION NO. 142 PENSION FUND,
et al.,

Plaintiffs,

v.

C.N.B. CONSTRUCTION, LLC,
and SURETEC INSURANCE
COMPANY,

Defendants.

Cause No. 2:23-CV-085-PPS-JEM

SURETEC INSURANCE COMPANY,

Counter-Plaintiff,

v.

TRUSTEES OF THE TEAMSTERS
UNION NO. 142 PENSION FUND,
et al.,

Counter-Defendants.

SURETEC INSURANCE COMPANY,

Cross-Plaintiff,

v.

C.N.B. CONSTRUCTION, LLC,

Cross-Defendant.

SURETEC INSURANCE COMPANY,

Third-Party Plaintiff,

v.)
)
CARLOS BERNAL,)
)
Third-Party Defendant.)
_____)

OPINION AND ORDER

This matter is before the Court on the Joint Stipulation [DE 47] filed by SureTec Insurance Company, the Trustees of the Teamsters Union No. 142 Pension Fund, the Trustees of the Teamsters Union Local No. 142 Training and Apprenticeship Trust Fund, the Trustees of the Teamsters Union Local No. 142 Annuity Fund (collectively, “the Teamsters Plaintiffs”), and Central States Southeast and Southwest Areas Health and Welfare Fund (“Central States”).

In sum, the stipulating parties have reached a settlement that has substantially narrowed the scope of this action – the balance of which is presently set for a telephonic brightline conference on August 27, 2024. [See DE 46.] As outlined below, for good cause shown, the stipulation is **SO ORDERED**.

ACCORDINGLY:

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the claims asserted in this civil action among the Teamsters Plaintiffs, Central States, and SureTec Insurance Company, including (1) Count V of the Teamsters Plaintiffs’ complaint against SureTec for breach of contract [DE 1 at 5–8], (2) SureTec’s Counterclaim against the Teamsters Plaintiffs and Central States in interpleader [DE 20 at 16–21], and (3) Central

States' Counterclaim against SureTec for breach of contract [DE 34 at 9-14], are hereby
DISMISSED WITH PREJUDICE, without costs to any party.

This action remains pending with respect to the Teamster Plaintiffs' claims
against C.N.B. Construction, LLC and SureTec's claims against C.N.B. Construction, LLC
and Carlos Bernal.

SO ORDERED.

ENTERED: August 22, 2024.

/s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT